

Appl. No. 10/519,650
Amendment with Restriction Election and Traversal
Reply to Office action of 6 December 2006

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REMARKS / DISCUSSION OF ISSUES

Claims 1-8 are pending in the application.

Applicant(s) respectfully request(s) the Examiner to acknowledge the claim for foreign priority and receipt of any certified copies of priority document(s) provided earlier or received from the International Bureau.

The Office action restricts the invention to one of the following groups of claims:

- I. Claims 1-3, drawn to a device or apparatus;
- II. Claim 5, drawn to a method; and
- III. Claims 4 and 6-8, drawn to a method.

In response, applicant(s) provisionally elect(s), with traverse, to prosecute claim(s) 1-3, identified as species I, along with any newly added claims drawn to the same species. Applicant(s) reserve(s) the right to prosecute the subject matter of the nonelected claim(s) in a divisional or other continuing application.

Applicants' traversal is based at least on the fact that the device and the methods for making and using it, regardless of whether or not they should be considered separate inventions, are so closely related that searching both the device and the methods would not impose an undue burden on the Examiner.

MPEP § 803 - Restriction - When Proper

... If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Accordingly, restriction is not proper and the restriction requirement should be withdrawn.

Claims are amended for non-statutory reasons, to correct one or more informalities, remove figure label number(s), and/or to replace European claim phraseology with U.S. claim language having the same meaning. The claims are not narrowed in scope. No new matter is added.

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Withdrawal of the restriction requirement and examination of the application on its merits are now respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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